



General Assembly

January Session, 2013

Committee Bill No. 6014

LCO No. 4514



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Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:
(PS)

AN ACT CONCERNING THE SAFE USE OF ELECTRONIC DEFENSE WEAPONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2013*) Each police basic training
2 program conducted or administered by the Division of State Police
3 within the Department of Emergency Services and Public Protection or
4 the Police Officer Standards and Training Council established under
5 section 7-294b of the general statutes shall provide a minimum of four
6 hours training on the use of an electronic defense weapon, as defined
7 in section 53a-3 of the general statutes, and each police review training
8 program conducted or administered by said department or council
9 shall provide a minimum of one hour of such training. Such training
10 shall include, but not be limited to, instruction on (1) the capabilities
11 and limitations of the technology in terms of its effectiveness, (2) the
12 effects that the use of an electronic defense weapon may have on a
13 person, including, but not limited to, adverse medical effects, and (3)
14 the parts of the body that should not be a target of electronic defense
15 weapon use.

16 Sec. 2. (NEW) (*Effective October 1, 2013*) (a) For the purposes of this

17 section and sections 3 and 4 of this act, "electronic defense weapon" has
18 the same meaning as provided in section 53a-3 of the general statutes,
19 and "peace officer" has the same meaning as provided in section 53a-3
20 of the general statutes.

21 (b) No peace officer shall use an electronic defense weapon in the
22 performance of such officer's duties unless such officer has
23 successfully completed the training required under section 1 of this act.

24 (c) Any peace officer who uses an electronic defense weapon on a
25 person shall immediately seek medical attention for such person.

26 (d) Any peace officer who violates any provision of this section shall
27 be subject to disciplinary action in accordance with the procedures of
28 such officer's employing agency.

29 Sec. 3. (NEW) (*Effective October 1, 2013*) Each law enforcement
30 agency that authorizes the use of electronic defense weapons by
31 officers of such agency shall: (1) Develop and maintain an internal
32 policy that provides guidelines on the use of electronic defense
33 weapons; (2) require officers to document the use of electronic defense
34 weapons in use-of-force reports; (3) download and archive on a regular
35 basis data that is recorded by an electronic defense weapon when it is
36 used; and (4) prepare and make available to the public an annual
37 report that details the use of electronic defense weapons by officers of
38 such agency including data downloaded from electronic defense
39 weapons after their use, use-of-force reports and statistics on such use
40 including, but not limited to, the name of the officer who used the
41 electronic defense weapon, the race and gender of the person on whom
42 the electronic defense weapon was used, the injury, if any, suffered by
43 such person, the number of times the electronic defense weapon was
44 activated and used on such person and, if the electronic defense
45 weapon had different usage modes, the mode used. The information
46 and data compiled under this section may be used in any judicial or
47 administrative proceeding.

48 Sec. 4. (NEW) (*Effective October 1, 2013*) Any person on whom an
49 electronic defense weapon has been used by a peace officer who has
50 not complied with section 2 of this act or whose employing law
51 enforcement agency has not complied with section 3 of this act, may
52 bring a civil action for damages against the law enforcement agency
53 and any person with supervisory authority over such officer. The court
54 may award costs, expert witness fees and a reasonable attorney's fee to
55 a plaintiff who prevails in such action. The court may order injunctive
56 or other equitable relief as it deems appropriate.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	New section
Sec. 2	<i>October 1, 2013</i>	New section
Sec. 3	<i>October 1, 2013</i>	New section
Sec. 4	<i>October 1, 2013</i>	New section

Statement of Purpose:

To ensure the safe use of electronic defense weapons by law enforcement agencies.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

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